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No. CR 04-0189 VRW

STIPULATION AND [PROPOSED]  
ORDER EXCLUDING TIME FROM  
THE SPEEDY TRIAL ACT  
CALCULATION (18 U.S.C. §  
3161(h)(8)(A))

20 On June 20, 2006, the parties appeared for trial setting before the Court. Bill Fazio  
21 appeared on behalf of the defendant Rey Martinez, Special Assistant United States  
22 Attorney Nahla Rajan appeared on behalf of the government, standing in for lead  
23 government counsel Assistant United States Attorney Joseph Fazioli. At the June 20,  
24 2006 hearing, this case was set for trial on September 11, 2006. The parties agreed that  
25 an exclusion of time under the Speedy Trial Act from June 20, 2006 to September 11,  
26 2006 was appropriate on the grounds of effective preparation of counsel and continuity of  
27 counsel.

28 In light of the above, the parties agree, and the Court finds and hold, that the time

STIPULATION AND [PROPOSED] ORDER  
CR 04-0189 VRW

1 between June 20, 2006 and September 11, 2006 is excluded under the Speedy Trial Act.  
2 The parties agree that the failure to grant the requested continuance would unreasonably  
3 deny defense counsel reasonable time necessary for effective preparation, taking into  
4 account the exercise of due diligence. See 18 U.S.C. § 3161(h)(8)(B)(iv). The parties  
5 also agree that an exclusion of time is appropriate on continuity of counsel grounds. The  
6 parties agree that the ends of justice served by granting the requested continuance  
7 outweigh the best interest of the public and the defendant in a speedy trial and in the  
8 prompt disposition of criminal cases. See 18 U.S.C. § 3161(h)(8)(A).

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10 STIPULATED:

11 DATED: 8/29/06

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14 DATED: 8/29/06

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16 IT IS SO ORDERED.  
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18 DATED: \_\_\_\_\_

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BILL FAZIO  
Attorney for Defendant Martinez

  
JOSEPH A. FAZIOOLI  
Assistant United States Attorney

  
VAUGHN R. WALKER  
UNITED STATES DISTRICT JUDGE